

# Criminal Statutes of Limitations Pennsylvania

*Last Updated: March 2020*

## Rape

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"><li>1. Prosecution against the perpetrator of this crime must commence within 12 years after commission of the offense; or</li><li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3121.</li><li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li></ol>

## Statutory sexual assault

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"><li>1. Prosecution against the perpetrator of this crime must commence within 12 years after commission of the offense; or</li><li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3122.1.</li><li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li></ol>

## Involuntary deviate sexual intercourse

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within 12 years after commission of the offense; or</li> <li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3123.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Sexual assault

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within 12 years after commission of the offense; or</li> <li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3124.1.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Institutional sexual assault

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3124.2.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Sexual assault by sports official, volunteer, or employee of nonprofit association

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: 18 Pa. Cons. Stat. § 3124.3. 2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.

## Aggravated indecent assault

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within 12 years after commission of the offense; or 2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.
Statutory citation(s):	1. Citation for the crime: 18 Pa. Cons. Stat. § 3125. 2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.

## Indecent assault

Question	Answer
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What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense; or</li> <li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3126.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Indecent exposure

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense; or</li> <li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3127.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Sexual intercourse with animal

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3129.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Conduct relating to sex offenders

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: 18 Pa. Cons. Stat. § 3130. 2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.

## Unlawful dissemination of intimate image

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: 18 Pa. Cons. Stat. § 3131. 2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.

## Female Mutilation

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.

What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 3132.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>
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## Incest

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within 12 years after commission of the offense; or</li> <li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 4302.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Sexual abuse of children

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within 12 years after commission of the offense; or</li> <li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: 18 Pa. Cons. Stat. § 6312.</li> <li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li> </ol>

## Unlawful contact with a minor

Question	Answer
What is the statute of limitations for this crime?	A violation of this crime is classified as the more severe of either a third degree felony or other applicable sexual offense with which the perpetrator may be charged.  <ol style="list-style-type: none"><li>1. If this crime is classified at a level equal to another applicable sexual offense, please see that sexual offense for the corresponding statute of limitations; or</li><li>2. If this crime is classified as a third degree felony, then proceedings against the perpetrator must commence within two years after commission of the offense.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: 18 Pa. Cons. Stat. § 6318.</li><li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li></ol>

## Sexual exploitation of children

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"><li>1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.</li><li>2. If committed against a minor under 18, prosecution must commence by the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: 18 Pa. Cons. Stat. § 6320.</li><li>2. Citation for the statute of limitations: 42 Pa. Cons. Stat. § 5552.</li></ol>

## Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	<ul style="list-style-type: none"> <li>• 42 Pa. Cons. Stat. § 5552 Other offenses ((c)(2) Exceptions for Offense by Public Officer or Employee): <ul style="list-style-type: none"> <li>• If the period prescribed in subsection (a), (b) or (b.1) (which includes rape, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault, incest, and sexual abuse of children) has expired, a prosecution may nevertheless be commenced for: (c)(2) Any offense committed by a public officer or employee in the course of or in connection with his office or employment at any time when the defendant is in public office or employment or within 5 years thereafter, but in no case shall this paragraph extend the period otherwise applicable by more than 8 years.</li> </ul> </li> <li>• 42 Pa. Cons. Stat. § 5552 Other offenses (c.1 Genetic identification evidence): <ul style="list-style-type: none"> <li>• (c.1) If evidence of a misdemeanor sexual offense set forth in 42 Pa. Cons. Stat. § 5552(c)(3) or a felony offense is obtained containing DNA, and that DNA is subsequently used to identify an otherwise unidentified individual as the perpetrator of the offense, the prosecution may be commenced within the period of limitations provided for that offense, or one year after the identity of the individual is determined, whichever occurs later.</li> </ul> </li> </ul>

## Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none"> <li>• 42 Pa. Cons. Stat. § 5554 Tolling of statute <ul style="list-style-type: none"> <li>• The period of limitation does not run during any time when: <ul style="list-style-type: none"> <li>• The accused is continuously absent from this Commonwealth or has no reasonably ascertainable place of abode or work within this Commonwealth;</li> <li>• A prosecution against the accused for the same conduct is pending in this Commonwealth; or</li> <li>• A child is under 18 years of age, where the crime involves injuries to the person of the child caused by the wrongful act, or neglect, or unlawful violence, or negligence of the child's parents or by a person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent.</li> </ul> </li> </ul> </li> <li>• <i>Finnegan v. Archdiocese of Philadelphia</i>, No. 3002 EDA 2014, 3173 EDA 2014, 2015 WL 6457860 (Pa. Super. Ct. Oct. 6, 2015) <ul style="list-style-type: none"> <li>• In Pennsylvania, "repressed memory" claims do not toll the limitations period for claims of sexual abuse.</li> </ul> </li> </ul>